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 U.S. DEPARTMENT OF EDUCATION

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

US RIGHT TO KNOW,)	No. 4:20-cv-09117-DMR
)	
Plaintiff,)	STIPULATION TO EXTEND TIME TO MEET
)	AND CONFER REGARDING ATTORNEYS'
v.)	FEES AND COSTS; [PROPOSED] ORDER
)	
UNITED STATES DEPARTMENT OF)	
EDUCATION,)	
)	
Defendant.)	

Plaintiff US Right to Know ("Plaintiff") and defendant United States Department of Education ("Defendant" or "Education Department"), by and through their undersigned counsel, hereby STIPULATE and respectfully REQUEST that the Court extent the parties' time to meet and confer regarding Plaintiff's demand for attorneys' fees and costs from February 13, 2023 until March 13, 2023.

This stipulation is based on the following facts:

1. This action, filed on December 17, 2020 under the Freedom of Information Act ("FOIA"), concerns one FOIA request that Plaintiff directed to the Education Department, dated July 6, 2020. ECF No. 1 ¶ 35; ECF No. 11 ¶ 35. The request sought certain records that the University of Texas System submitted to the Education Department pursuant to the Education Department's request. ECF No. 1 ¶ 36 & Ex. B. As the parties previously reported to the Court, the Education Department completed its production of records and Plaintiff has confirmed that it has no issues concerning the

Education Department's production. Accordingly, as set forth in the Court's order granting the parties' stipulation regarding case management and FOIA record production, entered April 15, 2021 ("Order"), ECF No. 21 ¶ 6, the parties have sixty (60) days to meet and confer in good faith regarding Plaintiff's entitlement to reasonable attorneys' fees and costs, i.e., until February 13, 2023.

2. The parties previously stipulated to, and this Court ordered, a continuance of the parties' initial case management conference ("CMC") from January 4, 2023 until April 5, 2023 so the parties could participate in this meet and confer process. ECF No. 38. Since that time, Plaintiff and the Education Department have exchanged an offer, counteroffer, and response to that counteroffer, which the Education Department is currently considering and intends to respond to by February 24, 2023.

3. Given the meet and confer deadline of February 13, 2023 set forth in the Order, the parties hereby stipulate and respectfully request that the Court extend the parties' time to meet and confer regarding Plaintiff's entitlement to attorneys' fees and costs by one month, from February 13, 2023 until March 13, 2023, so that they may continue this process.

SO STIPULATED.

Respectfully submitted,

STEPHANIE M. HINDS
United States Attorney

Dated: February 10, 2023

By: /s/ Savith Iyengar
SAVITH IYENGAR
Assistant United States Attorney
Attorney for Defendant

PUBLIC JUSTICE

Dated: February 10, 2023

By: **/s/ Daniel C. Snyder
DANIEL C. SNYDER
Attorney for Plaintiff

SHUTE, MIHALY & WEINBERGER LLP

Dated: February 10, 2023

By: **/s/ Laura D. Beaton
LAURA D. BEATON
Attorney for Plaintiff

** Pursuant to Civ. L.R. 5-1(h)(3), the filer of the document has obtained approval from this signatory.

[PROPOSED] ORDER

IT IS HEREBY ORDERED that the parties' time to meet and confer regarding Plaintiff's demand for attorneys' fees and costs is extended by one month, from February 13, 2023 until March 13, 2023.

Dated: _____

DONNA M. RYU
United States Magistrate Judge